

## REMARKS

### **I. Introduction**

Claims 1 to 22 are currently pending in the present application. In view of the foregoing amendments and the following remarks, it is respectfully submitted that all of the presently pending claims are allowable, and reconsideration of the present application is respectfully requested.

### **II. Rejection of Claims 1 to 22 Under 35 U.S.C. § 102(e)**

Claims 1 to 22 stand rejected under 35 U.S.C. § 102(e) as anticipated by U.S. Patent Application Publication No. 2003/0208767 ("Williamson et al."). It is respectfully submitted that Williamson et al. do not anticipate any of claims 1 to 22 for at least the following reasons.

Each of claims 1, 18, and 19, as amended herein without prejudice, recites, *inter alia*, the following:

... receiving from a user a user profile which identifies preferred media distribution sources ... searching ... for media content based on the at least one search criteria and the user profile ...

The Office Action refers to ¶¶ 0084, 0102, and 0135 to 0157 [*sic*] of Williamson et al. as allegedly disclosing these features. While ¶ 0135 may provide for searching based on search criteria, and while Williamson et al. may provide for separately filtering content based on a user profile, nowhere do Williamson et al. disclose, or even suggest, searching based on both search criteria and a user profile. In the Response to Arguments section, the Office Action asserts that Williamson et al. discloses a search that is based on both profiles and search criteria because "once user starts using the method and system based on his/her profile (Paragraph 0100), the method and system of Williamson presents favorites to the user base on the user's profile (Paragraph 0100) and user can additionally search based on search criteria (Paragraph 0135) while employing one of his/her personal profiles (Paragraph 0099 and 0100)." ¶¶ 0099 to 0101, which are in a section under the heading "Favorites," refer to user's profiles based on which a user may search and sort programs. ¶¶ 0135 to 0137 are in a separate section under the heading "Searching" and provide for searching based on search parameters, but do not disclose, or even suggest, such searching performed additionally based on a user profile. Thus, Williamson et al. do not disclose, or even suggest, all of the features recited in any of claims 1, 18, and 19.

Furthermore, each of claims 1, 18, and 19, as amended herein without prejudice recites, *inter alia*, the following:

*... searching a plurality of media distribution source types for media content; ... and displaying scheduling information regarding the media content to the user.*

Support for the amendments to the claims may be found in the Specification, e.g., at page 2, lines 26 to 31, and in Figure 4c. Williamson et al. do not disclose, or even suggest, searching a plurality of media distribution source types for media content or displaying scheduling information regarding said media content. For this additional reason, Williamson et al. do not disclose, or even suggest, all of the features recited in any of claims 1, 18, and 19.

Accordingly, Williamson et al. do not anticipate any of claims 1, 18, and 19.

Claim 16, as amended herein without prejudice, recites, *inter alia*, the following:

*... determining an availability of the media content from a plurality of media distribution sources that are selected in accordance with at least one user selection interpreted based on a user profile ...*

Williamson et al. do not disclose, or even suggest, a user selection interpreted based on a user profile. Instead, Williamson et al. refer to input of a selection of the user profiles. The selected profiles are then used as criteria for a search. Thus, Williamson et al. do not disclose, or even suggest, all of the features recited in claim 16.

Furthermore, claim 16, as amended herein without prejudice recites, *inter alia*, the following:

*... determining an availability of the media content from a plurality of media distribution sources ... the plurality of media distribution sources including different types media distribution sources ...*

Support for the amendment to the claim may be found in the Specification, e.g., at page 2, lines 26 to 31, and in Figure 4c. Williamson et al. do not disclose, or even suggest, this feature. For this additional reason, Williamson et al. do not disclose, or even suggest, all of the features recited in claim 16.

Accordingly, Williamson et al. do not anticipate claim 16.

As for claims 2 to 15 and 20, which ultimately depend from claim 1 and therefore include all of the features recited in claim 1, it is respectfully submitted that Williamson et al. do not anticipate these dependent claims for the same reasons set forth above in support of the patentability of claim 1.

As for claim 17, which depends from claim 16 and therefore includes all of the features recited in claim 16, it is respectfully submitted that Williamson et al. do not

anticipate this dependent claim for the same reasons set forth above in support of the patentability of claim 16.

As for claim 21, which depends from claim 18 and therefore includes all of the features recited in claim 18, it is respectfully submitted that Williamson et al. do not anticipate this dependent claim for the same reasons set forth above in support of the patentability of claim 18.

As for claim 22, which depends from claim 19 and therefore includes all of the features recited in claim 19, it is respectfully submitted that Williamson et al. do not anticipate this dependent claim for the same reasons set forth above in support of the patentability of claim 19.

Furthermore, with respect to claims 20 to 22, the Office Action asserts that ¶ 0101 and Figure 15 of Williamson et al. disclose "interpreting at least a portion of the at least one search criteria in accordance with the user profile." The cited portions of Williamson et al. refer to inputting of an identification of the profile on which to base a search; the cited portions do not disclose, or even suggest, inputting criteria which is then interpreted based on a profile.


Withdrawal of this rejection is therefore respectfully requested.

### III. Conclusion

In light of the foregoing, it is respectfully submitted that all of the presently pending claims are in condition for allowance. Prompt reconsideration and allowance of the present application are therefore earnestly solicited.

Respectfully submitted,

Dated: 22 Dec 2006

By:   
Michelle Carniaux  
Reg. No. 36,098  
KENYON & KENYON LLP  
One Broadway  
New York, New York 10004  
(212) 425-7200  
CUSTOMER NO 26646